

**SENATE BILL 158**  
CONSTITUTIONAL AMENDMENT

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P5

1998 Regular Session  
8lr0791

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By: **Senators Frosh, Boozer, Blount, Dyson, Neall, Hollinger, Middlebrooks, Forehand, Sfikas, Van Hollen, and Teitelbaum**

Introduced and read first time: January 23, 1998

Assigned to: Economic and Environmental Affairs

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A BILL ENTITLED

1 AN ACT concerning

2 **General Assembly - Legislative Redistricting**

3 FOR the purpose of repealing the authority of the Governor to prepare and have  
4 introduced into the General Assembly a legislative redistricting plan for the  
5 General Assembly following each decennial census; authorizing any member of  
6 the General Assembly to introduce a regular bill setting forth a legislative  
7 redistricting plan for the General Assembly following each decennial census;  
8 requiring the General Assembly to adopt a legislative redistricting plan by the  
9 45th day of the regular session in the second year following every census;  
10 generally relating to the introduction and passage of a bill for legislative  
11 redistricting of the General Assembly following each decennial census; and  
12 submitting this amendment to the qualified voters of the State of Maryland for  
13 their adoption or rejection.

14 BY proposing an amendment to the Constitution of Maryland  
15 Article III - Legislative Department  
16 Section 5

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
18 MARYLAND, (Three-fifths of all the members elected to each of the two Houses  
19 concurring), That it be proposed that the Constitution of Maryland read as follows:

20 **Article III - Legislative Department**

21 5.

22 [Following each decennial census of the United States and after public  
23 hearings, the Governor shall prepare a plan setting forth the boundaries of the  
24 legislative districts for electing of the members of the Senate and the House of  
25 Delegates.

26 The Governor shall present the plan to the President of the Senate and Speaker  
27 of the House of Delegates who shall introduce the Governor's plan as a joint  
28 resolution to the General Assembly, not later than the first day of its regular session  
29 in the second year following every census, and the Governor may call a special session

1 for the presentation of his plan prior to the regular session. The plan shall conform to  
2 Sections 2, 3 and 4 of this Article.] Following each decennial census OF THE UNITED  
3 STATES, ANY MEMBER OF the General Assembly may [by joint resolution adopt]  
4 INTRODUCE A BILL AT THE REGULAR SESSION IN THE SECOND YEAR FOLLOWING  
5 THE CENSUS SETTING FORTH a plan [setting forth] FOR the boundaries of the  
6 legislative districts for the election of members of the Senate and the House of  
7 Delegates, which plan shall conform to Sections 2, 3 and 4 of this Article. [If a plan  
8 has been adopted by the General Assembly by the 45th day after the opening of the  
9 regular session of the General Assembly in the second year following every census,  
10 the plan adopted by the General Assembly shall become law. If no plan has been  
11 adopted by the General Assembly for these purposes by the 45th day after the  
12 opening of the regular session of the General Assembly in the second year following  
13 every census, the Governor's plan presented to the General Assembly shall become  
14 law] A LEGISLATIVE REDISTRICTING BILL SHALL BE PRESENTED TO THE GOVERNOR  
15 TO BE SIGNED OR VETOED AS PROVIDED UNDER ARTICLE II, SECTION 17 OF THIS  
16 CONSTITUTION.

17 Upon petition of any registered voter, the Court of Appeals shall have original  
18 jurisdiction to review the legislative districting of the State and may grant  
19 appropriate relief, if it finds that the districting of the State is not consistent with  
20 requirements of either the Constitution of the United States of America, or the  
21 Constitution of Maryland.

22 SECTION 2. AND BE IT FURTHER ENACTED, That the General Assembly  
23 determines that the amendment to the Constitution of Maryland proposed by this Act  
24 affects multiple jurisdictions and that the provisions of Article XIV, Section 1 of the  
25 Constitution concerning local approval of constitutional amendments do not apply.

26 SECTION 3. AND BE IT FURTHER ENACTED, That the foregoing section  
27 proposed as an amendment to the Constitution of Maryland shall be submitted to the  
28 legal and qualified voters of this State at the next general election to be held in  
29 November, 1998 for their adoption or rejection in pursuance of directions contained in  
30 Article XIV of the Constitution of this State. At that general election, the vote on this  
31 proposed amendment to the Constitution shall be by ballot, and upon each ballot  
32 there shall be printed the words "For the Constitutional Amendments" and "Against  
33 the Constitutional Amendments," as now provided by law. Immediately after the  
34 election, all returns shall be made to the Governor of the vote for and against the  
35 proposed amendment, as directed by Article XIV of the Constitution, and further  
36 proceedings had in accordance with Article XIV.